

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ROANOKE DIVISION

SEP 21 2016

JULIA C. DUDLEY, CLERK  
BY:   
DEPUTY CLERK

KEITH EDWARD MOSS,  
Plaintiff,

v.

MAJOR ESPINOZA et al,  
Defendant(s).

) Civil Action No. 7:16-cv-00220  
)  
)

MEMORANDUM OPINION

) By: Michael F. Urbanski  
) United States District Judge  
)

Keith Edward Moss, proceeding pro se, filed a civil rights complaint, pursuant to 42 U.S.C. § 1983. By Order entered August 24, 2016, the court directed plaintiff to submit within 20 days the full filing fee of \$400.00 or otherwise respond. Plaintiff was advised that a failure to comply would result in dismissal of this action without prejudice.

More than 20 days have elapsed, and plaintiff has failed to comply with the described conditions. Accordingly, the court dismisses the action without prejudice and strikes the case from the active docket of the court. Plaintiff may refile the claims in a separate action once plaintiff is prepared to comply with the noted conditions.

The Clerk is directed to send a copy of this Memorandum Opinion and accompanying Order to plaintiff.

ENTER: This 20<sup>th</sup> day of September, 2016.

*/s/ Michael F. Urbanski*  
United States District Judge